

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CIVIL REVISION APPLICATION No 477 of 1991

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

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PATEL RAVJIBHAI AMBALAL

Versus

SAVITABEN AMBALAL PATEL WD/OF AMBALAL PATEL

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Appearance:

MR TJ PATEL for Petitioner

MR SR PATEL for MR AJ PATEL for Respondent

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CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 02/12/98

ORAL JUDGEMENT

In view of the subsequent events which have taken place during the pendency of this civil revision application, I am of the opinion that this revision application does not survive.

The plaintiff-respondent filed an application under section 70 (b) of Bombay Tenancy and Agricultural Lands Act, 1948 for his tenancy rights over the land.

That application has been decided in favour of the plaintiff by Mamlatdar. An appeal preferred against that order by the defendant-petitioner has also been dismissed. Then the matter has been taken up in revision by the defendant-petitioner before Gujarat Revenue Tribunal and that has also been dismissed. The matter has not ended here but special civil application has been filed before this Court and the same has also been dismissed by this Court on 23-2-1993. Zerox copy of that decision is filed by the counsel for the plaintiff-respondent, which is taken on record. So the matter of tenancy has been finally concluded by the Revenue Court and as such there is no question to refer this issue for decision to the Revenue Court.

In the result, this civil revision application fails and the same is dismissed. Rule discharged. Interim relief, if any, granted by this Court stands vacated. No order as to costs.

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